

N05813-6

System name:

Summary and Non-BCD Special Courts-Martial Records of Trial
(January 8, 2001, 66 FR 1324)

System location:

Organizational elements of the Department of the Navy.
Official mailing addresses are published as an appendix to
the Navy's compilation of systems of records notices.

Categories of individuals covered by the system:

Navy and Marine Corps enlisted personnel tried by summary
courts-martial or by special courts-martial which did not
result in a bad conduct discharge (BCD).

Categories of records in the system:

Summary courts-martial and non-BCD special courts-martial
records of trial.

Authority for maintenance of the system:

5 U.S.C. 301, Departmental Regulations; 10 U.S.C. 865; and
42 U.S.C. 10601 et seq., Victim's Rights and Restitution Act
of 1990 as implemented by DoD Instruction 1030.2, Victim and
Witness Assistance Procedures.

Purpose(s):

To complete appellate review as required under 10 U.S.C.
864(a) and provide repositories accessible to the public
who may request information concerning the appellate review
or want copies of individual public records.

To provide information and support to victims and witnesses
in compliance with the Victim and Witness Assistance
Program, the Sexual Assault Prevention and Response Program,
and the Victims' Rights and Restitution Act of 1990.

**Routine uses of records maintained in the system, including
categories of users and the purposes of such uses:**

In addition to those disclosures generally permitted under
5 U.S.C. 552a(b) of the Privacy Act, these records or

information contained therein may specifically be disclosed outside the DoD as a routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

To victims and witnesses of a crime for purposes of providing information, consistent with the requirements of the Victim and Witness Assistance Program, regarding the investigation and disposition of an offense.

The 'Blanket Routine Uses' that appear at the beginning of the Navy's compilation of systems of records notices apply to this system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folders.

Retrievability:

Type of courts-martial, date, command which convened the courts-martial, name of individual defendant, and command which completed the supervisory authority's action.

Safeguards:

Files are maintained in file cabinets and other storage devices under the control of authorized personnel during working hours; the office space in which the file cabinets and storage devices are located is locked outside official working hours.

Retention and disposal:

Records are retained for two years after final action by officers having supervisory authority over shore activities, and for three months by officers having supervisory authority over fleet activities. At the termination of the appropriate retention period, records are forwarded for storage to the National Personnel Records Center (Military Personnel Records), GSA, 9700 Page Avenue, St. Louis, MO 63132-5100. Records are destroyed 15 years after final action has been taken.

System manager(s) and address:

Assistant Judge Advocate General (Military Justice), Office of the Judge Advocate General, Department of the Navy, 716 Sicard Street SE, Suite 1000, Washington Navy Yard, DC 20374-5047 or appropriate officer having supervisory authority over the naval activity which convened the court martial.

Notification procedure:

Information may be obtained from the Division Director, Administrative Support Division, Navy-Marine Corps Appellate Review Activity, Office of the Judge Advocate General, Department of the Navy, 716 Sicard Street SE, Suite 1000, Washington Navy Yard, DC 20374-5047.

The request should include the full name of the individual concerned, the type of courts-martial (summary or special), the name of the command which held the courts-martial, and the date of the courts-martial proceedings. Written requests must be signed by the requesting individual.

Record access procedures:

Individuals seeking access to records about themselves contained in this system of records should address written inquiries to the Division Director, Administrative Support Division, Navy-Marine Corps Appellate Review Activity, Office of the Judge Advocate General, Department of the Navy, 716 Sicard Street SE, Suite 1000, Washington Navy Yard, DC 20374-5047.

The request should contain the full name of the individual concerned, the type of courts-martial (summary or special), the name of the command which held the courts-martial, and the date of the courts-martial proceedings. Written requests must be signed by the requesting individual.

Contesting record procedures:

The Navy's rules for accessing records, and for contesting contents and appealing initial agency determinations are published in Secretary of the Navy Instruction 5211.5; 32 CFR part 701; or may be obtained from the system manager.

Record source categories:

Proceedings of summary courts-martial and special courts-martial which did not result in a bad conduct discharge.

Exemptions claimed for the system:

None.